

REMARKS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-19 are presently active in this case. Claim 1 is amended by way of the present Amendment. The above amendment shows the amended claim in clean form, the attachment shows a marked up copy for the Examiner's convenience.

In the outstanding Office Action, Claims 1-11, 13-16 and 18 were rejected under 35 U.S.C. § 102(b) as anticipated by Chaffey (G.B. Patent 2,102,661). Claims 1-11 and 13-17 were rejected under 35 U.S.C. § 102(b) as anticipated by Boncser (G.B. Patent 2,098,841). Claim 19 was rejected under 35 U.S.C. § 103(a) as unpatentable over either Chaffey or Boncser in view of Tyler (U.S. 4,394,968). Claim 12 was objected to as being dependent upon a rejected base claim, but was indicated to be allowable if rewritten in independent form.

Applicant acknowledges with appreciation the indication of allowable subject matter. However, since Applicants consider that Claim 1 from which Claim 12 depends, defines patentable subject matter, Claim 12 is maintained in dependent form at the present time.

Claim 1 has been amended to correct minor informalities and place the claim in better U.S. patent practice format.

In response to the rejections of Claims 1-11 and 13-18 under 35 U.S.C. § 102(b) and Claim 19 under 35 U.S.C. § 103(a), Applicants respectfully request reconsideration of these rejections and traverse the rejections as discussed next.

Briefly recapitulating, Applicants' invention relates to a connection device (11) for linking a spray bar (6) to a chassis (2) of an agricultural sprayer (1). According to an important feature of the present invention, this connecting device (11) is advantageously composed of a single quadrilateral (12) arranged in a roughly vertical and parallel plane to the longitudinal plane of the sprayer (1).

The single quadrilateral (12) arranged in a plane which is substantially vertical and substantially parallel to the longitudinal plane of the sprayer (1) is visible in Figure 3 of the present application. Further, in Figure 3, one can see that the single quadrilateral (12) is composed of a lower arm (14) represented by a dotted line and an upper arm (13) represented by a continuous line. Thus, the upper arm (13) and the lower arm (14) are located in the same plane (9), one directly above the other.

Turning now to the applied art, the Chaffey patent discloses a connection device for linking a spray bar to a chassis of a carrier vehicle. This connection device consists of two upper arms (30) and one lower arm (36). One can see the two upper arms (30) are located at each lateral end of the connection device. Thus, the two upper arms are each arranged in a distinct vertical plane. The lower arm (36) is arranged in a third vertical plane, which itself is located approximately mid-way between the two vertical planes of the upper arms (30). This connection device is therefore not composed of a single quadrilateral as alleged in the Official Action.² Further, this connection device is not arranged according to the same substantially vertical plane, but rather in *three separate planes*. Finally, Chaffey gives no indication as to orientation of the connection device with respect to the longitudinal plane of the carrier vehicle.

In view of the above, the cited prior art fails to teach or suggest every feature recited in Applicant's claims so that Claims 1-11, 13-16 and 18 are believed to be patentably distinguishable over the cited prior art. Accordingly, Applicants respectfully traverse and request reconsideration of the rejections based on Chaffey.³

² See Official Action at page 2, paragraph 2.

³ See MPEP § 2131: "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference," (citations omitted) (emphasis added). See also MPEP § 2143.03: "All words in a claim must be considered in judging the patentability of that claim against the prior art."

Turning now to the rejection of Claims 1-11 and 13-17 under 35 U.S.C. § 102(b) as anticipated by Boncser. Boncser shows a device for stabilizing a spray bar (1) equipped in an agricultural sprayer (15). Boncser mentions the presence of another device (14) for connecting the bar (1) to the sprayer (15). However, this connection device (14) is not described in page 2, lines 45-51.

Further, Figure 1 of Boncser, shows the connection device (14) with two lower arms and one upper arm. The two lower arms are each arranged in a different vertical plane. As for the upper arm, it is arranged in a third vertical plane, the third plane is located approximately mid-way between the two vertical planes and the lower arms. Consequently, Boncser does not disclose or suggest a connection device consisting of a single quadrilateral arranged in a roughly vertical plane as alleged in the Official Action.⁴

In view of the above, the cited prior art fails to teach or suggest every feature recited in Applicant's claims so that Claims 1-11 and 13-17 are believed to be patentably distinguishable over the cited prior art. Accordingly, Applicant respectfully traverses and requests reconsideration of the rejections based on Boncser.

Now turning to the rejection of Claim 19 under 35 U.S.C. § 103(a) as unpatentable over Chaffey or Boncser in view of Tyler. This rejection is traversed in light of the arguments discussed above. Neither Chaffey nor Boncser teaches all the limitations of the claims except a self-propelled sprayer as alleged in the Official Action. As such, even a combination of Chaffey or Boncser with Tyler fails to teach all the limitations recited in the claims. Thus, Claim 19 is submitted to be allowable.

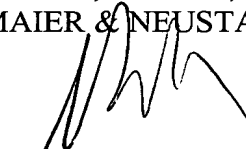
Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal allowance. A Notice of Allowance for Claims 1-19 is earnestly solicited.

⁴ See Official Action at page 3, paragraph 3.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, he or she is encouraged to contact Applicant's undersigned representative at the below listed telephone number.

Respectfully submitted,

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IN THE CLAIMS

--1. (Amended) A connecting device connecting a spray boom to a chassis of an agricultural sprayer, and which [consists of] comprises a single quadrilateral arranged in a plane which is substantially vertical and substantially parallel to a longitudinal plane of said sprayer.--